

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

Anthony J. Cole  
612607

Plaintiff,

[Insert full name of plaintiff/prisoner]

-against-

SUFFOLK COUNTY CORRECTIONAL  
FACILITY

SHERIFF ERROL D. TOLSON JR. Ed. O

SUFFOLK COUNTY SHERIFFS

OFFICE, CORRECTION DIVISION

CORRECTION OFFICER JOHN DOE  
Defendant(s). "see attached"

[Insert full name(s) of defendant(s). If you need additional space, please write "see attached" and insert a separate page with the full names of the additional defendants. The names listed above must be identical to those listed in Part I]

FILED  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y.  
★ APR 22 2020 ★

LONG ISLAND OFFICE

CIVIL RIGHTS COMPLAINT  
42 U.S.C. § 1983

**CV-20 1883**

JURY DEMAND

YES \_\_\_\_\_ NO ☒

COGAN, J

RECEIVED

APR 22 2020

EDNY PRO SE OFFICE

- I. Parties: (In item A below, place your name in the first blank and provide your present address and telephone number. Do the same for additional plaintiffs, if any.)

A. Name of plaintiff

Anthony Cole

If you are incarcerated, provide the name of the facility and address:

SUFFOLK COUNTY CORRECTIONAL FACILITY  
110 Center St.

Riverhead, N.Y. 11901

Prisoner ID Number:

612607

"See Attached"

SUFFOLK COUNTY SHERIFFS OFFICE,  
DEPUTY DIVISION

RIVERHEAD CORRECTIONAL FACILITY  
YAPHANK CORRECTIONAL FACILITY

SHERIFF DEPUTY JOHN DOE #1

SHERIFF DEPUTY JOHN DOE #2

SHERIFF DEPUTY JOHN DOE #3

CORRECTION OFFICER JOHN DOE #1

CORRECTION OFFICER JOHN DOE #2

S.C.C.F

CORRECTION OFFICER JOHN DOE #3

If you are not incarcerated, provide your current address:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Telephone Number: \_\_\_\_\_

**B. List all defendants.** You must provide the full names of each defendant and the addresses at which each defendant may be served. The defendants listed here must match the defendants named in the caption on page 1.

Defendant No. 1

SUFFOLK COUNTY CORRECTIONAL  
FACILITY  
Full Name

CORPORATION  
Job Title

110 Center Dr.

Riverhead, N.Y. 11901  
Address

Defendant No. 2

SHERIFF ERROL D. TAVOLONE JR. Ed. D  
Full Name

SHERIFF  
Job Title

100 Center Dr.

Riverhead, N.Y. 11901  
Address

Defendant No. 3

SUFFOLK COUNTY SHERIFFS  
OFFICE, CORRECTION DIVISION  
Full Name

CORPORATION  
Job Title

100 Center Dr.

Defendant No. 4

Riverhead, N.Y. 11901  
Address

SUFFOLK COUNTY SHERIFFS OFFICE  
DEPUTY DIVISION  
Full Name

CORPORATION  
Job Title

100 Center Dr.  
Riverhead, N.Y. 11901  
Address

Defendant No. 5

RIVERHEAD CORRECTIONAL FACILITY  
Full Name

CORPORATION  
Job Title

100 Center Dr.  
Riverhead, N.Y. 11901  
Address

## II. Statement of Claim:

(State briefly and concisely, the facts of your case. Include the date(s) of the event(s) alleged as well as the location where the events occurred. Include the names of each defendant and state how each person named was involved in the event you are claiming violated your rights. You need not give any legal arguments or cite to cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. You may use additional 8 ½ by 11 sheets of paper as necessary.)

Where did the events giving rise to your claim(s) occur? RIVERHEAD CORRECTIONAL FACILITY and Wapahank CORRECTIONAL FACILITY.  
on different occurrences.

When did the events happen? (include approximate time and date) On 10-14-19  
at approximately during the 3 to 11 shift. On  
10-28-19 at approximately during the 1 to 3 shift

"See Attached"

YAPHANK CORRECTIONAL FACILITY  
CORPORATION

15 Glover Dr.

Yaphank, N.Y. 11950

SHERIFF DEPUTY JOHN DOE #1

SHERIFF DEPUTY

100 Center Dr.

Riverhead, N.Y. 11901

SHERIFF DEPUTY JOHN DOE #2

SHERIFF DEPUTY

100 Center Dr.

Riverhead, N.Y. 11901

SHERIFF DEPUTY JOHN DOE #3

SHERIFF DEPUTY

100 Center Dr.

Riverhead, N.Y. 11901

CORRECTION OFFICER JOHN DOE #1

CORRECTION OFFICER

100 Center Dr.

Riverhead, N.Y. 11901



"See Attached"

CORRECTION OFFICER JOHN DOE #2

CORRECTION OFFICER

100 Center Dr.

Riverhead, N.Y. 11901

S.C.C.F

CORPORATION

100 Center Dr.

Riverhead, N.Y. 11901

CORRECTION OFFICER JOHN DOE #3

CORRECTION OFFICER

100 Center Dr.

Riverhead, N.Y. 11901

" See Attached"

October 9:30 am and 10:30 am on the 35E housing unit in Riverhead Correctional Facility and the incident on 10-14-19 occurred on the 25W housing in Riverhead Correctional Facility. On January 17, 2020 in the Riverhead Correctional Facility, on July 25, 2017 in the Riverhead Correctional Facility, On 2-25-20 during the 1-3 shift at approximately 10:30 on the F pod housing unit in Yaphank Correctional Facility. On 3-26-20 during the 3-11 shift at approximately 5:30-6:30 pm in the booking section at Yaphank Correctional Facility. On 2-9-20 during the 1-3 shift at approximately 11:30-12:30 in the booking section of Yaphank Correctional Facility and on the bus for transport to Riverhead Correctional Facility.

Facts: (what happened?) On October 14, 2009 during the

3 to 11 shift before the 8:30 pm count, there was a search conducted on the 2nd tier in Riverhead Correctional Facility. I was instructed by Correction Officer John Doe #1 to exit the cell assigned to me which was 21 cell on the 2nd housing unit. I complied by exiting the cell and placing my hands on the bars for a pat frisk. While I being pat frisked by Correction Officer John Doe #1, Correction Officer John Doe #1 pulled my uniform pants back as well as my underwear and looked at my rear end and then pulled them up into my rear end. On October 15, 2009 a complaint was made with the Internal Affairs unit via the inmate hotline. On October 16, 2009 I met with investigators

II.A. Injuries. If you are claiming injuries as a result of the events you are complaining about, describe your injuries and state what medical treatment you required. Was medical treatment received?

psychological injuries, emotional injuries, pain and suffering, psychological abuse, emotional abuse, and physical and sexual abuse, sexual misconduct, excessive force, and official misconduct.



"See Attached"

in the Attorney Room in Riverhead  
Correctional Facility during the 1-3  
shift.

On October 25, 2019 on the 35E  
housing unit in Riverhead Correctional  
Facility during the 1-3 shift at  
approximately 9:30 am - 10:30 am, I  
returned from the medical unit to the  
35E housing unit and inquired with  
Corrections Officer John Doe if  
I would be allowed to receive the  
remaining time out for recreation,  
I also informed the Officer I would  
like to make a phone call with the  
remaining time for my recreation.  
As I turned to walk through the  
hallway the Officer berated me  
saying "Don't you turn your back  
to me when I'm talking to you, this  
is your problem now. You're going to  
end up like the other shit that  
came back from medical. Had  
the nerve to give me muth."  
I complied with the Officer's orders.  
During afternoon medication I again

was berated by Correction Officer John Doe #2 as I took my medication the correction officer John Doe #2 began to berate me again saying "you see why I get angry, you see why I get angry, you always running your mouth. Up until that I had never spoken to that officer and also was unaware of his mental condition. At 2:00 pm the officer walked up to the cell I was assigned across on the catwalk and began to berate me again saying, "I run my mouth too much and that he's doing me a favor and that I needed to keep my mouth shut and do what he said and to think about what he said he might be there tomorrow. I was denied my right to 1 hour of exercise and 1 hour for phone and shower usage without breaking any administrative rules I was allowed 5 additional minutes on the phone from the time I had out for recreational which was approximately 25 minutes.



On the dates of July 25, 2017, January 17, 2020, and February 25, 2020, I was denied the right of access to the courts, on the dates of July 25, 2017 and February 25, 2020 I was denied the right to make Electronic testimony before Bronx Family Court Support Magistrate Paul Ruzeski, although there were orders to produce produced before Suffolk County Correctional Facility Officials to produce me via telephone I was denied the right to make an appearance. On 2/25/2020 during the 7-3 shift at approximately 10:30 am I produced the order to produce to Correction Officer #3 I was denied to be produced and also insulted saying, "I'm acting like a dick because I'm not getting what I want", on 2/17/2020 I spoke with security Officials in Japhank Correctional Facility regarding the hearing I was informed that I was approved to make an appearance via telephone on 2/25/2020, however; on 2/25/2020 in F pod in Japhank Correctional Facility I was denied the right to make an appearance.



On 3-26-2020 during the 3-11 shift at approximately 5:30-6:30 pm in the booking section of Jopark Correctional Facility during the Riverhead Correctional Facility return run, while being pat frisked by Sheriff Deputy John Doe #2, I was groped several times, the first time I informed the Sheriff Deputy John Doe #2 "to watch his hands", at which time he became more aggressive while pat frisking me and at this point repeating what he did and groping my penis and scrotum and then bringing his forearm up into my scrotum. I then was told to sit down and I told the Sheriff Deputy John Doe #2 he violated my rights and Sheriff Deputy #3 walked up to me from behind and whispered in my ear that "he thinks that I need to close my mouth because he's not in the mood or else."



On February 9, 2020 during the 1-3 shift at approximately 1130-1130 in the booking section at Joplin Correctional Facility during the Riverhead Correctional Facility return run I was pat frisked by Sheriff Deputy John Doe #1 at which he also groped my genitals during the pat frisk and while boarding the bus the Sheriff Deputy John Doe #1 removed a black iPhone and took a picture of me. On February 13, 2020 a grievance was placed in the mailbox on 4/4/20 during the 1-7 shift during breakfast however there was no administrative decision followed nor was there a response to the grievance from the grievance department.

III. Relief: State what relief you are seeking if you prevail on your complaint.

I seek a relief of \$1,000,000.00  
for the injuries sustained and anything  
the courts deem just and proper.

I declare under penalty of perjury that on 3-30-20, I delivered this  
complaint to prison authorities at SUFFOLK COUNTY CORRECTIONAL FACILITY be mailed to the United  
(name of prison)  
States District Court for the Eastern District of New York.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: 3-30-20

  
Signature of Plaintiff

SUFFOLK COUNTY CORRECTIONAL FACILITY

Name of Prison Facility or Address if not incarcerated

100 Center Dr  
Riverhead, NY 11901

Address

612607  
Prisoner ID#





Supreme Court  
Constitutional Society  
110 Center St.  
Larchmont, N.Y. 10501



Mid Island PS&AC 117

FRI 17 APR 2020 PM

United States District Court  
Eastern District of New York  
100 Federal Plaza, ~~Central~~  
Central Islip, N.Y. 11722  
Attn: Pro Se Office

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★ APR 22 2020 ★

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